

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CAREER AGENTS NETWORK, INC.,

Plaintiff,

v.

Case No. 09-CV-12269

CAREERAGENTSNETWORK.BIZ,
CAREERAGENTNETWORK.BIZ,
LAWRENCE R. WHITE, and
AEROMEDIA MARKETING, INC.,

Defendants.

**ORDER STRIKING DUPLICATE SUMMARY JUDGMENT MOTION
AND SETTING HEARING ON CROSS-MOTIONS FOR SUMMARY JUDGMENT**

On December 22, 2009, Defendants filed two motions for summary judgment. The motions appear to be identical, except that the docket entries suggest that the first motion, Docket Number 43, was filed by Defendants careeragentsnetwork.biz, careeragentnetwork.biz, and Lawrence R. White, while the second motion, Docket Number 44, was filed by Aeromedia Marketing, Inc. Having reviewed the motions, it is clear to the court that the two filings are the result of a docketing error. Defendants counsel likely filed the initial motion and inadvertently neglected to include the fourth Defendant on the docket entry. While counsel likely filed the second motion to make clear that all Defendants were moving for summary judgment, the existence of two identical summary judgment motions on the court's docket is unnecessary and could lead to confusion. Accordingly, the court will strike the second motion, but will interpret the first motion as being filed by all four Defendants.

The court also notes that Plaintiff Career Agents Network, Inc., recently filed a cross-motion for summary judgment. Because the issues raised in the cross-motions are similar, the court will set both the initial motion for summary judgment and the cross-motion for summary judgment for hearing on the same date.

IT IS ORDERED that Defendants second motion for summary judgment [Dkt. # 44] is hereby STRICKEN from the docket.

IT IS FURTHER ORDERED that counsel are DIRECTED to appear for oral argument on the cross-motions for summary judgment [Dkt. ## 43 & 55] on **March 5, 2010 at 10:00 a.m.**

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 1, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 1, 2010, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522